



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

Ref: 8ENF-L

**VIA CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED**

**CERTIFIED MAIL RECEIPT #: 7009 3410 0000 2599 7501**

Hecla Limited (f/k/a Hecla Mining Company)

~~Hecla Mining Company~~

c/o Phillip Baker, President and CEO

6500 N. Mineral Drive, Suite 200

Coeur d'Alene, ID 83815-9408

*Corrected  
6/20/13  
za*

Re: General Notice of Superfund Liability

Gilt Edge Mine Site, Lawrence County, South Dakota

Dear Mr. Baker:

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, the U.S. Environmental Protection Agency (EPA) is responsible for responding to the release or threat of release of hazardous substances, pollutants, or contaminants into the environment and for cleaning up or otherwise addressing any contamination that has already occurred. The EPA has documented that such releases have occurred at the Gilt Edge Mine Site (Site) located in Lawrence County, South Dakota. The EPA has spent and will continue to spend public funds to investigate and control releases of hazardous substances or potential releases of hazardous substances at the Site. Based on information presently available, the EPA has determined that you may be responsible under CERCLA for cleanup of the Site or costs the EPA has incurred or will incur in cleaning up the Site.

**Explanation of Potential Liability**

Under CERCLA, specifically Sections 106(a) and 107(a), potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up a site, unless the PRP can show divisibility or any of the limited statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

Based on its investigation, the EPA believes that you may be liable under Section 107(a) of CERCLA with respect to the Gilt Edge Mine Site as the successor to CoCa Mines, Inc., an owner/operator at the time hazardous substances were disposed of at the Site.

To date, the EPA has taken several response actions at the Site under the authority of the Superfund Program. On December 1, 2000, the EPA included the Site on the National Priorities List. The EPA issued an Early Action Interim Water Treatment Record of Decision in April 2001 and an Interim Water Treatment Operations Record of Decision in November 2001. The interim water treatment remedy involved the diversion of acid rock drainage from various seeps and mine pits, and conversion of the existing water treatment plant to lime precipitation system. Construction of the water treatment plant conversion was completed in August 2003 and water treatment activities are ongoing. Contaminated water is collected at various facilities at the Site and stored until it is treated and discharged to Strawberry Creek.

The EPA issued an Interim Record of Decision in August 2001 to address contamination associated with the Ruby Gulch Waste Rock Dump. The remedy involved regrading waste rock that was previously placed in the upper Ruby Gulch drainage, and constructing a composite cap with a geomembrane liner and associated surface water control structures to reduce further acid mine drainage generation. This work was completed in 2006.

In September 2008, the EPA issued the Record of Decision for Operable Unit 1 to address source materials including contaminated waste rock fill materials, spent ore from the heap leach pad, exposed rock, tailings sludge, and underground mine workings to reduce the generation of acid rock drainage and to prevent potentially catastrophic releases of acid mine drainage from the Site.. Acid-generating waste rock and spent ore from the heap leach pad will be consolidated and placed into the Dakota Maid and Sunday pits and will be covered with impermeable caps. Waste rock will also be consolidated and covered at the Langley pits.

The EPA has incurred response costs of approximately \$112,000 million. The EPA estimates total cleanup costs for the Site may exceed \$191 million.

#### Information to Assist You

The EPA has established Administrative Records that contain documents that serve as the basis for the EPA's selection of cleanup actions for the Site. The Administrative Records are located at the Hearst Public Library, 315 Main Street, Lead, South Dakota, 57754, and are available to you and the public for inspection and comment. The Administrative Records are also available for inspection and comment at the Superfund Records Center, EPA Region 8, 1595 Wynkoop Street, Denver, Colorado, 80202.



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Please give these matters your immediate attention. If you have any questions regarding this letter, please contact Andrea Madigan at (303) 312-6904. Thank you for your prompt attention to this matter.

Sincerely,

Kelcey Land, Acting Director  
Technical Enforcement Program

Andrea Madigan, Supervisory Attorney  
Legal Enforcement Program

Enclosure

cc: Amelia Piggott, 8ENF-L  
Heidi Hoffman, DOJ  
Sharon Abendschan, 8ENF-RC  
Roxanne Giedd,  
Office of the South Dakota Attorney General  
Phillip Baker, Hecla Limited

Addresses:

Roxanne Giedt  
523 E. Capitol Avenue  
Pierre, SD 57501

Heidi Hoffman  
999 18<sup>th</sup> Street, Suite 370  
South Towers  
Denver, CO 80202

Elizabeth Tempkin  
Temkin Wielga & Hardt  
1900 Wazee Street, Suite 303  
Denver, Colorado 80202

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~~Andrea Madigan, 8ENF-L~~  
Heidi Hoffman, DOJ  
Joy Jenkins, 8EPR-SR  
Sharon Abendschan, 8ENF-RC  
Roxanne Giedd, *office of*  
Office of the South Dakota Attorney General



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Hecla Limited, Inc. (f/k/a Hecla Mining Company)  
Hecla Mining Company  
c/o Elizabeth Tempkin  
Temkin Wielga & Hardt  
1900 Wazee Street, Suite 303  
Denver, Colorado 80202

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Gilt Edge Mine Site, Lawrence County, South Dakota

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*All changes made 6/19/13  
Saverio Schaefer  
8 ENF-L  
5/22/13*

*AP  
ENF-L  
5.22.13*

*Also - no  
"Inc." no  
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Betsy Tempkin.  
Look  
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SA*

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#### **Information to Assist You**

EPA would like to encourage communication among you, other PRPs, and EPA regarding the Site. To assist you in this effort enclosed is the list of names and addresses of the PRPs to whom this letter has been sent.

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Roxanne Giedt  
523 E. Capitol Avenue  
Pierre, SD 57501